

REMARKS

In the Office Action of December 15, 2004, claims 1-26, 28-30, 35, 37-43, 46, 59, 80 and 87 were objected to because of various informalities. Each of these claims has been carefully reviewed as requested by the Examiner and changes have been made to provide proper antecedent basis for all limitations and to ensure that all indicated limitations are properly recited in the claims. Accordingly, with these changes, such objections have been satisfied.

Claim 86 was also rejected under § 112 as failing to comply with the written description requirement. Claim 86 has been amended to overcome this rejection by deleting the requirement that the opening "engage an abutment piece".

In the Office Action of December 15, 2004, claims 43, 52, 64, 66 and 67 were allowed. The formal allowance of these claims is appreciated. Independent claim 43, however, has been further amended to comply with the Examiner's suggested change in line 1 by deleting the word "The" and replacing it with the word - - A - - .

Claims 24, 26, 35, 37-42, 46, 59-61 and 81-85 were objected to, but were indicated as being allowable if corrections were made to overcome the objections. In this respect, various amendments have been made to independent claim 24, independent claim 35, dependent claims 37, 38 and 40 and independent claim 46. Independent claim 59 and dependent claims 60 and 61 have been reviewed and are believed to be proper. Independent claim 80, which was not allowed, rejected or indicated as being allowable was also amended. It is assumed that claim 80 was intended to be allowable, since dependent claims 81-85 were indicated as being allowable. Accordingly, applicant has treated it as such. In view of these amendments, it is believed that all of the claims which were objected to but were indicated as containing allowable subject matter have now been corrected and their allowance is respectfully requested.

With respect to rejections based on prior art, independent claim 1 was rejected under § 102 as being anticipated by Hurson (2002/0106610), Halldin (2003/0082488) and Grande (6,068,478). Independent claim 1 has been amended to clearly patentably differentiate from each of these references by requiring the circumferential collar to have an outermost diameter and to require the internal side wall which is parallel to the longitudinal axis of the dental implant to be "in engagement with said circumferential collar at its outermost diameter" when the impression cap and the dental implant are in press fit connection. None of the above references such a

structural feature. In each, the portion of the impression cap which engages the outermost diameter of the implant collar is as best a concave-shaped surface. In fact, the impression cap of Halldin does not appear to even engage the outermost diameter of the implant collar.

Accordingly, independent claim 1 clearly avoids anticipation by any of these references.

Further, none of the other references disclose such a feature. Accordingly, independent claim 1 is patentable over any of the above references in combination with any third-party references.

Independent claim 44 was rejected under § 102 as being anticipated by Halldin (2003/0082499). Although Halldin discloses an impression cap in Figure 7b, this impression cap is an open impression cap rather than a closed impression cap of the type in claim 44. Specifically, as required in claim 44, the opening which extends longitudinally into the body from the second end forms “a substantially closed inner cavity”. This makes it a closed impression cap. Thus, vents are needed to allow trapped air to flow from the closed inner cavity between the abutment and the vent. This differs from the structure and function of the opening 245 in *Halldin*. Accordingly, independent claim 44 and its respective dependent claims have been amended to require an air vent such that when the impression cap is placed over the abutment piece, air is vented from the “substantially closed inner cavity”. Thus, claim 44 and its dependent claims are considered allowable.

Independent claim 62 was rejected under § 102 as being anticipated by Hurson (6,672,871). *Hurson* discloses a coping with a plurality of standoffs 110 on the inner surface of the coping to allow for adhesive between the coping and the abutment. Although the Figure 3 series shows standoffs 110 which appear to be provided on a flat, the flat is beveled relative to the longitudinal axis of the impression cap. Independent claim 62 has been amended to require the abutment flat as being formed in the inner surface and as comprising a surface lying in a plane substantially parallel to the longitudinal axis. This clearly distinguishes from Hurson (6,672,871). Allowance is respectfully requested.

Independent claim 86 was rejected under § 102 as being anticipated by *Porter*. Although *Porter* discloses an opening 92 in the top of the impression cap 90, it is intended to, and in fact does, mate with the bulb 85 at the top of the implant or abutment. There is no disclosure that this is a vent of any sort or that it can release air when the cap is placed onto an abutment piece. Nevertheless, independent claim 86 has been amended to require the closable vent opening to release air from the inner cavity when the cap is placed onto an abutment piece and to close

when an impression is taken. This is significantly different from, and not anticipated by, the structure of Porter (2001/0034008).

Claims 87 and 88 were rejected under § 102 as being anticipated by Gentile (6,161,729). Independent claim 87 is directed to an impression cap for a dental impression system. In contrast, *Gentile* has no relation to a dental system of any sort and is directed to a dual chamber dispenser which includes a pair of hollow tubes containing separate flowable material streams. *Gentile* is taken from a clearly non-analogous field of art and is not applicable to the impression cap of claims 87 and 88. Accordingly, these claims are considered allowable.

For all of the above reasons, all of the independent claims in the application are considered to be allowable over the prior art of record. Further, because each of the dependent claims includes all of the limitations of their respective independent claims, all dependent claims are considered to be allowable as well. Accordingly, it is submitted that all of the claims in the application are now in condition for allowance and their formal allowance is respectfully requested.

If there are any questions regarding the amendments to the claims, the distinctions between the claims and the references or any other matter which might be covered in a phone call, the Examiner is respectfully requested to telephone the Undersigned.

Respectfully submitted,

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